

Claimant suffered a compensable injury on March 9, 1987. Claimant has since received psychiatric care at respondent's expense pursuant to order of the ALJ for an extended period of time, over seven years. In November 1999, claimant asked for a hearing, a continuation of the regular hearing, and terminal dates were set. Those terminal dates were extended by agreement for the deposition of Dr. Patrick Hughes. Respondent now asks for an additional extension to allow respondent to introduce evidence of financial motive for the authorized treating psychiatrist to prolong the treatment. Respondent contends it has evidence of a substantial IRS obligation owed by the treating psychiatrist. Without a hearing, the ALJ entered an order denying respondent's request. Respondent appeals that order.

The Appeals Board concludes it does not have jurisdiction to consider respondent's appeal. The Board's jurisdiction is over appeals from certain issues in preliminary hearing orders and otherwise over appeals from final orders. The Order challenged by this appeal is not a preliminary hearing order, one under K.S.A. 44-534a for medical treatment or temporary total disability benefits, and is not a final order. The Order is not subject to review at this time but can be reviewed as part of the review of a final award once one is entered in this case.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the appeal from the preliminary hearing Order entered by Administrative Law Judge Robert H. Foerschler on July 26, 2000, should be, and the same is hereby, dismissed.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of November 2000.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Robert E. Tilton, Topeka, KS  
Gregory D. Worth, Lenexa, KS  
Robert H. Foerschler, Administrative Law Judge  
Philip S. Harness, Director